

Office of State Uniform Payroll
State of Louisiana
Division of Administration

JOHN BEL EDWARDS
GOVERNOR



JAY DARDENNE
COMMISSIONER OF ADMINISTRATION

April 13, 2021

OFFICE OF STATE UNIFORM PAYROLL MEMORANDUM #2021-47

TO: LaGov HCM Paid Agency Human Resources
and Employee Administration Staff

FROM: Andrea P. Hubbard
Director

SUBJECT: Civil Service Rule 11.35(d) Leave

The mandatory leave provisions of the Families First Coronavirus Response Act expired close of business Dec. 31, 2020. The federal Consolidated Appropriations Act of 2021 authorized employers to voluntarily provide FFCRA leave through March 31, 2021. Per State Civil Service General Circular [2021-001](#), the SCS Commission adopted rules permitting appointing authorities to extend these voluntary provisions of the FFCRA through March 31, 2021. On Jan. 6, 2021, Commissioner of Administration Jay Dardenne issued a memorandum directing cabinet agencies to use this provision.

The American Rescue Plan of 2021, signed by President Biden on March 11, 2021, made several revisions to the FFCRA including authorizing employers to voluntarily provide FFCRA leave through Sept. 30, 2021. Per SCS General Circular [2021-013](#), the SCS Commission did not adopt the voluntary provisions of FFCRA, but did approve leave options for appointing authorities to assist employees who may be affected by COVID-19 and are unable to telework.

Pursuant to SCS General Circular [2021-013](#), permissibility to LaGov HCM FFCRA absence types LACV, LBCV and LSCV will be extended through Sept. 30, 2021. Since the SCS Commission did not adopt a provision similar to the FFCRA expanded FMLA provision, LaGov HCM FMLA code FMCV is no longer available for entry beginning April 1, 2021. Refer to the [attached chart](#) for more details. Note: Although the absence type text reflects FFCRA leave, leave entries for April 1, 2021 through Sept. 30, 2021, represent SCS Rule 11.35(d) leave, not FFCRA leave.

To comply with SCS rules, agencies must assure that LACV and LBCV leave taken after March 31, 2021, does not extend beyond the allowable 80 hours of LBCV, 53.33 hours of LACV, and 53.33 hours of LSCV (varies for part-time employees). Per the SCS rule, this leave is only available to employees who have not previously exhausted these leave allotments under the FFCRA or previous versions of the SCS rules. The intent of the rule is to allow employees to use leave equivalent to 10 total working days for LACV and LBCV plus 10 working days for LSCV (if

OFFICE OF STATE UNIFORM PAYROLL MEMORANDUM #2021-47

April 13, 2021

Page 2

not previously exhausted prior to March 31, 2021). For example, an employee who used 50 hours of LBCV prior to March 31, 2021, is only eligible for 30 hours LBCV between April 1, 2021 and Sept. 30, 2021. If that same employee had not used any portion of LSCV (school / day care closure), that employee is eligible for 53.33 hours LSCV (2/3 pay for 80 hours) between April 1, 2021 and Sept. 30, 2021. To assist with this analysis, agencies should use LaGov HCM reports ZP64, ZT33, ZF73 and ZT06 prior to entering these leave codes. Since the federal provisions are no longer being used, OSUP will no longer audit the use of these leave codes after March 31, 2021.

For previous OSUP correspondence related to the FFCRA provisions, see OSUP Memoranda [#2021-33](#), [#2020-47](#), [#2020-46](#), and [#2020-45](#). Please direct questions to the OSUP leadership team at _DOA-OSUP-PRNotifica@LA.GOV.

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